

## REMARKS

Claims 1 – 3 and 19 – 20 were rejected as anticipated under 35 U.S.C. 102(b) by JP 03-27003 issued to Nishizawa. Nishizawa discloses a laminated ceramic capacitor having an internal electrode and an external electrode which contains metal powder. While it is broadly stated that the metal powder used for the external electrode has no limit, the only metals disclosed are silver, palladium and nickel. Nishizawa does not in anyway disclose the use of copper powder, copper flakes, silver coated powder or the other metals that are claimed in amended claim 1 of the present invention. As shown in examples 1 and 2 of the present invention, various combinations of copper flake and/or copper powder produced superior results. This potential use of copper is not disclosed by Nishizawa. As anticipation under 35 U.S.C. 102 requires identity of invention, in view of the differences between Nishizawa and the present invention it is respectfully submitted that claims 1 – 3 and 19 – 20 are patentable under 35 U.S.C. 102(b) over Nishizawa.

Claims 1 – 2, 5 – 6 and 18 – 19 were rejected as anticipated under 35 U.S.C. 102(b) by U.S. Patent No. 6,388,864, issued to Nakagawa. Nakagawa discloses a ceramic electronic component having a high temperature metal firing termination component that is coated with a silver polymer termination and then plated with nickel and tin. The high temperature metal firing termination of Nakagawa is in direct contact with the component's electrodes and the polymer termination is not in contact with the electrodes. In contrast, the termination coating of the present invention is directly coated onto the electrodes in place of the high temperature firing termination of Nakagawa. Claims 1 and 2 have been amended to clearly claim this distinction. As anticipation under 35 U.S.C. 102 requires identity of invention, in view of the differences between Nakagawa and the present invention it is respectfully submitted that claims 1 – 2, 5 – 6 and 18 – 19 are patentable under 35 U.S.C. 102(b) over Nakagawa.

Claims 1 – 4, 9 – 15 and 17 were rejected as anticipated under 35 U.S.C. 102(b) by U.S. Patent No. 4,999,136, issued to Su. Claim 3 has been cancelled. Su discloses an acrylate epoxy and urethane-containing adhesive utilized to attach finished surface mount components on a board. This is distinctly different than the present invention which discloses a polymer termination coating utilized to construct a surface mount component. As anticipation under 35 U.S.C. 102 requires identity of invention, in view of the differences between Su and the present invention it is respectfully submitted that claims 1 – 2, 4, 9 – 15 and 17 are patentable under 35 U.S.C. 102(b) over Su.

Claims 1 – 4 and 7 – 8 were rejected as anticipated under 35 U.S.C. 102(b) by JP-2002-332502, to Sakagami. Claim 3 has been cancelled. Sakagami discloses a surface treatment copper powder and copper paste utilizing the copper powder. While Sakagami makes the general statement that the paste may be utilized on various electric contact surfaces, there is no

disclosure that the paste would be suitable for use as a termination coating for surface mount components, such as the coating of the present invention. As anticipation under 35 U.S.C. 102 requires identity of invention, in view of the differences between Sakagawa and the present invention it is respectfully submitted that claims 1 – 3 and 7 – 8 are patentable under 35 U.S.C. 102(b) over Sakagawa.

Claims 1, 9, 14 and 16 were rejected as anticipated under 35 U.S.C. 102(b) by U.S. Patent No. 6,402,013, issued to Abe. Abe discloses thermosetting soldering flux and a process for its use. The disclosure of the present invention is substantially different than that of Abe in that while Abe discloses a flux/adhesive combination capable of attaching a component to a board, the present invention discloses a polymer termination coating for constructing a surface mount component. As anticipation under 35 U.S.C. 102 requires identity of invention, in view of the differences between Abe and the present invention it is respectfully submitted that claims 1, 9, 14 and 16 are patentable under 35 U.S.C. 102(b) over Abe.

Claims 3 and 4 were rejected as unpatentable under 35 U.S.C. 103(a) over Nakagawa. Claim 3 has been cancelled. The distinctions set forth above with respect to Nakagawa and the present invention are equally applicable to the rejection of claim 4. There is no teaching, disclosure or suggestion of the use of copper flakes, copper powders or mixtures thereof in Nakagawa. Further, Nakagawa's general statements regarding metals would not lead one skilled in the art to the composition of the present invention. Accordingly, it is respectfully submitted that claim 4 is patentable under 35 U.S.C. 103(a) over Nakagawa.

Claim 15 was rejected as unpatentable under 35 U.S.C. 103(a) over Abe. The distinctions set forth above between Abe and the present invention are equally applicable to the rejection of claim 15. Accordingly, it is respectfully submitted that claim 15 is patentable under 35 U.S.C. 103(a) over Abe.

Claim 21 was rejected as unpatentable under 35 U.S.C. 103(a) over Nakagawa in view of U.S. Patent No. 5,712,758, issued to Amano. The distinctions between Nakagawa and the present invention are equally applicable to the rejection of claim 21. Amano discloses a multilayer ceramic chip capacitor and method for its manufacture. In contrast to the disclosure of the present invention, Amano discloses a metal firing termination in contact with the metal electrodes. The metal firing termination is coated with a second metal firing termination and then plated with nickel and tin. There is no suggestion in either Nakagawa or Amano that they may be combined as suggested by the Examiner in a manner that would lead one skilled in the art to the present invention. Further, if one skilled in the art were to combine the references, that person would not be led to the present invention. Instead, the result would be the capacitor of Amano having one or more coatings on a high temperature firing termination component. Accordingly, it is respectfully submitted that claim 15 is patentable under 35 U.S.C. 103(a) over Nakagawa in view of Amano.

In view of the foregoing, it is respectfully submitted that the present application is in condition for allowance. If there are any issues that the Examiner wishes to discuss, he is invited to contact the undersigned attorney at the telephone number set forth below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Charles W. Almer", written in a cursive style.

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